

Application No. 10/004,623
Response dated May 29, 2009
Reply to Office Action of March 6, 2009

REMARKS:

Status of Claims

Claims 18-23 and 30-34 were previously pending. No changes are made to the claims by way of this Response.

Office Action

In the March 6, 2009, Office Action, the Examiner rejected all pending claims as being obvious in view of Zereski (US 5,654,886) and Kennedy (US 4,812,825).

Using a Subscriber's Preference Data to Select Natural Phenomena Data for Transmission to the Subscriber

Each of the independent claims recites receiving predetermined criteria for selecting natural phenomena data, where the predetermined criteria comprises information that describes personal preference data of a subscriber. The Examiner acknowledges that Zereski does not teach this functionality (Office Action, pg. 9). Thus, at issue is whether Kennedy discloses this functionality.

Kennedy discloses a tornado-detecting circuit that generates an alert by detecting AM radio signals produced by tornadoes (FIG. 1, Summary). Kennedy's circuit does not use a subscriber's personal preference data to select data for transmission to the subscriber. Kennedy does not use weather data. Kennedy doesn't even use the words "data," "subscriber," or "preference." The AM receiver identified by the Examiner merely detects radio signals having a certain frequency and issues an alert based on the duration of the detected radio signals. This is entirely unrelated to the subscriber-based functionality recited in the pending claims.

Because Kennedy provides no teachings related to the pending claims, combining Kennedy with Zereski does not cure Zereski's acknowledged deficiencies. As such, the combination of Zereski and Kennedy cannot render the pending claims obvious.

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Conclusion

Applicant submits that all claims are now in a condition for allowance. Should any questions remain, the Examiner is encouraged to contact the undersigned. Any additional fee which is due in connection with this Response should be applied against our Deposit Account No. 501-791.

Respectfully submitted,

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